

Remarks:

Claims 1-10 are pending in the subject application.

Claims 1, 6 and 10 have been amended to correct informalities. As such, no new matter has been added by these amendments.

Claim 1 has been amended. Support for this amendment is found throughout the instant specification and particularly at paragraph [044], [086], and [087]. Applicant asserts that no new search has been necessitated by these amendments because the above amendments do not add new matter.

Claim objections:

Claims 1, 6, and 10 were objected to due to the following informalities: 1) the word "identify" in claim 1 should be changed to "identifying" and 2) the word "MOLDI-TOF" should be changed to MALDI-TOF". Applicant has corrected the informalities as requested. Withdrawal of this objection is respectfully requested.

Claim 10 has been objected to due the use of an improper Markush group. In particular, the inclusion of the chemical "CNBr" in the Markush group was found objectionable. Applicant has corrected the informality as requested. Withdrawal of this objection is respectfully requested.

Claim Rejections:

35 U.S.C § 102

Claims 1-9 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Mazzara et al. (U.S. Patent No. 5,747,324) (May 5, 1998) hereinafter referred to as "Mazzara".

Applicant asserts that the amendment to claim 1 renders the above rejection moot. The amendment has introduced into the body of the claim a correlation with a phenotype of interest previously provided only in the preamble. The amendments have also clarified that the serum antibody required by the instant invention is obtained from a subject having the phenotype of interest. Since Mazzara does not teach or suggest such a limitation, it does not and cannot anticipate the instant invention. Applicant respectfully requests withdrawal of this rejection.

35 U.S.C § 103

Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Mazzara et al. (U.S. Patent No. 5,747,324) (May 5, 1998) in view of Greenspan (U.S. Patent No. 6,551,575 B1) (April 22, 2003).

As Applicant has demonstrated above, the amendments made to claim 1 render the rejection based on Mazzara moot. Since the primary reference fails to provide the instant invention of claims 1-9, a combination of Mazzara with Greenspan fails to provide claim 10. Therefore, the obviousness rejection set forth above is moot. Applicant respectfully requests withdrawal of this rejection.

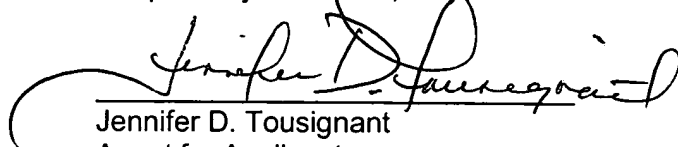
Summary:

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 07-1074.

Date: 3/29/04

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Respectfully submitted,



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